

### **REMARKS**

The Examiner is thanked for the thorough examination of the application. No new matter is believed to be added to the application by this Response.

### **Entry Of Response**

Entry of this Response under 37 C.F.R. §1.116 is respectfully requested because it cancels a claim and places the application in condition for allowance.

### **Status Of The Claims**

Upon entry of this Response, claims 1-3, 5, and 7-10 and 12-21 are pending in this application. Claim 11 is canceled and its subject matter is incorporated into claim 1.

### **Statement Of Substance Of Interview**

The Examiner is thanked for graciously conducting an Interview on October 12, 2006. During the Interview, the patentability of the present invention over Suzuki (USP 5,296,111), Schlager (USP 6,780,306) and Tatsuaki (JP 8281272) was discussed. It was noted that none of the cited art references disclose or suggest the aminopolycarboxylic acids (such as EDTA) set forth in claim 11 of the present invention, and that incorporating the subject matter of claim 11 into claim 1 would overcome the art rejection.

At the end of the Interview, the Examiner prepared an Interview Summary that commented: "Suggested putting claim 11 into claim 1, since the secondary reference doesn't teach the reduction of EDTA etc. using the specific vibrations during electrolytic oxidation."

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The Interview Summary has been reviewed, and it appears to accurately reflect the substance of the Interview.

**Rejection under 35 U.S.C. §103(a) over Suzuki in view of Schlager or Tatsuaki**

Claims 1-3, 5, and 7-21 are rejected under 35 U.S.C. §103(a) as being unpatentable over Suzuki (USP 5,296,111) in view of Schlager (USP 6,780,306) or Tatsuaki (JP 8281272). Applicants traverse.

Distinctions of the present invention over Suzuki, Schlager and Tatsuaki were placed before the Examiner in the Amendment filed February 6, 2006 and the Response filed August 31, 2006. For brevity, these distinctions are not repeated here but are incorporated by reference.

As was discussed in the Interview of October 12, 2006, none of the cited references teaches or suggests a method for treating organic wastewater containing at least one aminopolycarboxylic acid selected from ethylenediaminetetraacetic acid (EDTA), 1,3-propylenediaminetetraacetic acid (PDTA) or diethylenetriaminepentaacetic acid (DTPA), where the organic wastewater is subjected to an electrolytic oxidation treatment by vibrating the organic wastewater at a frequency of 10 cycles/sec to 100 cycles/sec, and the organic wastewater is treated with a microorganism (instant claim 1 of the present invention). The applicants have additionally reviewed Tatsuaki and confirm that this reference fails to disclose EDTA, PDTA or DTPA. Unexpected results of the present invention were also set forth in the Declaration filed August 31, 2006.

Therefore, a *prima facie* case of obviousness has not been made, and the unexpected results in the Declaration fully rebut any *prima facie* obviousness that can be alleged over the  
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claims of the present invention. This rejection is overcome and withdrawal thereof is respectfully requested.

### **Information Disclosure Statement**

The Examiner is thanked for considering the Information Disclosure Statement filed August 20, 2003 and for making the initialed PTO-1449 form of record in the application in the Office Action mailed October 6, 2005.

### **Foreign Priority**

The Examiner has acknowledged foreign priority in the Office Actions mailed October 6, 2005 and May 4, 2006.

### **Conclusion**

The Examiner's rejection has been overcome, obviated or rendered moot. No issues remain. It is believed that a full and complete response has been made to the Office Action. The Examiner is accordingly respectfully requested to place the application in condition for allowance and to issue a Notice of Allowability.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert E. Goozner (Reg. No. 42,593) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By 

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